IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 27728 of 1998

Between:

M/s Hindustan Shipyard Limited, represented by its

General Manager Sri P.E Prasad
Vishakapatnam .

..... PETITIONER

AND

1. The Hon'ble Industrial Tribunal cum Labour Court
   Ramnagar , Vishakapatnam .
2. Mr. M.S.G Ch.R Patnaik S/o M.V.G.R. Patnaik
   D.No.39-8-13, Muralinagar ,
   Madhavavadhara PO Vishakapatnam 530 007
3. The State of A.P Rep by Secretary
   Incharge Labour , Secretariat ,
   Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a notice call for the records, quash and set aside the award made in I.D. No. 439 of 1994, dated 03.07.1998 on the file of the Hon'ble Industrial Tribunal-cum-Labour Court, Vishakapatnam, by issuing a *Writ of Certiorari* or any other appropriate writ or order on direction as the Hon'ble Court may deems fit and proper in the circumstances of the case and to grant such other relief the petitioner is entitled to and to allow the W.P.

Counsel for the Petitioner: MR.P.NAGESWAR SREE

Counsel for the Respondent No.2: MR.K.V.SUBRAMANYA NARASU

Counsel for the Respondent Nos.1 and 3: G.P. for Labour

The Court made the following:

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ORDER:

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The learned counsel on either side agreed that this writ petition can be disposed of in terms of the judgment in W.P.No.8943 of 1998 dated 07.06.2005, since the cause of action for initiating the Disciplinary action against the second respondent herein and the second respondent therein and the purpose for which the witnesses were examined is one and the same. Therefore, the writ petition is also disposed of in terms of the said judgment.

In the result, the impugned award is modified to the following extent:

"The respondent-management is directed to reinstate the workman with continuity of service and other attendant benefits, but without any back wages."

Accordingly, the writ petition is disposed of. No order as to costs.

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(C.V. RAMULU, J)

Date: 06.07.2005

Ksn

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Hon'ble Industrial Tribunal cum Labour Court
   Ramnagar , Vishakapatnam .
2. The Secretary, Government of Andhra Pradesh,

Incharge Labour, Secretariat,
Hyderabad.

3. 2 CCs to G.P. for Labour, High Court Buildings, Hyderabad (OUT).

4. 2 CD copies

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